

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
ASHEVILLE DIVISION  
CIVIL CASE NO. 1:10cv161**

In re:	)	
	)	
SPICEWOOD DEVELOPMENT, LLC,	)	
	)	
Debtor.	)	
-----	)	
	)	
UNITED STATES BANKRUPTCY	)	
ADMINISTRATOR,	)	
	)	
Appellant,	)	
	)	
vs.	)	<b><u>ORDER</u></b>
	)	
SPICEWOOD DEVELOPMENT, LLC,	)	
	)	
Appellee.	)	
-----	)	

**THIS MATTER** is before the Court on the Appellant and Appellee Stipulation Regarding Moot Appeal [Doc. 8].

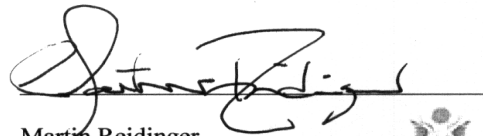
On February 9, 2011, the Court directed the parties to file supplemental briefs regarding their position on the issue of whether the Court's ruling in a related appeal, Forrest v. Spicewood Development, LLC, 1:10cv96 (W.D.N.C.), renders the present appeal moot. [Doc. 7]. On February 22, 2011, the parties filed a pleading reflecting their stipulation that once the Court's Order in Forrest became final and not subject to

further appeal, the present case would be moot and this appeal should be dismissed. [Doc. 8]. The time for filing a notice of appeal in Forrest has passed, and no appeal has been taken from the Court's Order. According to the parties' stipulation, the present appeal therefore is moot and should be dismissed.

Accordingly, **IT IS, THEREFORE, ORDERED** that this appeal is hereby **DISMISSED**.

**IT IS SO ORDERED.**

Signed: April 6, 2011

  
Martin Reidinger  
United States District Judge

